

Charles Bahne

Historian and Tour Guide

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April 5, 2007

The Honorable Judge Richard Stearns
Moakley Federal Courthouse
12 Northern Avenue
Boston, MA 02210

Dear Justice Stearns:

Please accept this submission for your considerations in the case of my friend and colleague, Donald "Bing" McGilvray.

I know Mr. McGilvray through our mutual work at Humanities International, Inc., a nonprofit organization based in Boston, which contracts with Elderhostel, Inc., to provide educational programs for senior citizens under the "Elderhostel" brand name. Humanities International is the largest provider of Elderhostel programs in Boston.

I have worked at Humanities International on a part-time, seasonal basis since 1997. My present title is Academic Coordinator. Mr. McGilvray's official title today is Program Director, but that is a misnomer. He is really equivalent to our Executive Director. He is the highest-ranking paid staff person, and reports directly to the Board of Directors. He is responsible, on a day-to-day and week-to-week basis, for seeing that all of our programs run smoothly. During the past year, Mr. McGilvray and I have worked very closely together to ensure the success of our programs, and the satisfaction of our program participants.

I first met Mr. McGilvray in January 2000, when he was hired as office support staff by Humanities International's founder. We worked very well together, but at that time I wasn't as involved in the daily operation of our programs as I am now. Unfortunately, the organization's finances required laying Mr. McGilvray off at the end of 2002, and I lost touch with him.

Following the death of Humanities International's founder Joseph Monahan, a new President took charge of the organization late in 2005. At the request of the Board of Directors, Mr. McGilvray was rehired as office support staff, to provide continuity with the past.

Early in 2006, Mr. McGilvray was instrumental in blowing the whistle on Humanities International's then President, who was engaged in various forms of corporate malfeasance and dereliction of duty. This courageous action by Mr. McGilvray was single-handedly responsible for saving both the organization and the programs which we had contracted to operate that year. The errant President was terminated by the Board of Directors, and Mr. McGilvray was promoted to his present position.

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Your honor, I wish you could have seen how hard Mr. McGilvray worked in those first weeks after our former, miscreant President was fired. We had a group of senior citizens coming to Boston in less than a week, and Mr. McGilvray and I had to make all the arrangements for their lodging, meals, transportation, and other activities over a span of five days. At the same time, Mr. McGilvray had to deal with our Board of Directors and our attorney, with our vendors and banks, with our volunteers and with Elderhostel (which contracts with our firm), and, finally, when they arrived five days later, with the senior citizens who had signed up for our first program of that spring. He did this all without a hitch, and the people who attended the program were totally unaware that everything had been in chaos just a few days earlier.

That first program of 2006 set the tone for the entire year, and indeed for the future. Mr. McGilvray has taken an organization which was suffering from neglect and even abuse by his predecessors, and he has elevated it to the highest professional standards. In all of his actions, the satisfaction and well-being of our program attendees (*i.e.*, our customers) have been his highest priority, with the organization's financial stability a close second.

Everything I have seen of Mr. McGilvray in the past year indicates that he is a man of the highest integrity. Furthermore, while temptations have sometimes been near, I have never seen even the slightest sign that Mr. McGilvray has abused any kind of substance, legal or illegal. For example, the nature of our business requires that Mr. McGilvray attend and sometimes even organize social events where alcohol is served, but I have no reason to believe that he has consumed even a drop of alcohol at any of those events, or at any other time during the year.

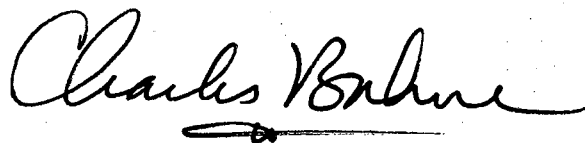
In short, Mr. McGilvray is a valued colleague, and I feel quite lucky to have him as my boss. It would be extremely difficult, if not impossible, to replace him. His efforts have single-handedly led to the success of Humanities International's Elderhostel programs, which hundreds of senior citizens attended last year, and for which hundreds more have already registered in the coming season. It is an honor to work with Mr. McGilvray, and I can't imagine what I, or our company, would do without him.

Bing has told me that he's had some problems with the law, and with substance abuse, in the past. If he hadn't told me, I never would have guessed it. I see no evidence of that today, and I firmly believe that it is all behind him. I know of no one who is working harder to stay to the "straight and narrow" than Bing McGilvray. He clearly deserves another chance.

As he himself says, he is "a good decent person who is deeply sorry for doing something so incredibly stupid."

Thank you for receiving my comments, your honor.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Charles Bohner". The signature is written in dark ink and is positioned above a horizontal line.

cc: Attorney Michael Reilly, Tommasino & Tommasino

Charles Bahne

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April 21, 2006

My dear friends,

I'm pleased to announce that I've rejoined the staff of Humanities International, and I will be fully involved with the operation of our Elderhostel programs during 2006 and beyond.

The former President and Executive Director of Humanities International, John H. Acres, has been suspended by the Board of Directors. All matters relating to Mr. Acres' employment have been referred to an attorney. Following Mr. Acres' departure, I have been rehired in my former position as Academic Coordinator.

Bing McGilvray, who worked with Joe Monahan a few years ago, has returned and he is now in charge of Humanities International. His exact title has yet to be worked out, but for now he's calling himself the Program Administrator.

Bing and I collaborated our first Elderhostel program of the year, a Freedom Trail program during the week of April 2-7. This was a most successful program, thanks in great part to Jack and Barsha Kantor, who were Site Coordinators for the week.

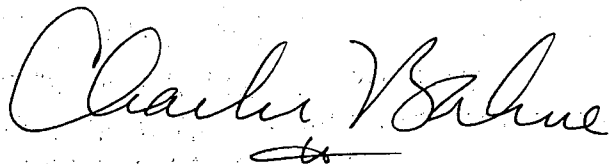
I want to commend Bing for his actions in literally rescuing our organization and its programs in the last few weeks. His efforts have truly been heroic, as I have personally witnessed on several occasions. He and I make a good team and I think we'll do very well together.

Over the winter, I heard many of you express your hope that the best memorial to Joe would be for our Elderhostel programs to continue operating just as they had been. I truly think that this is what's going to happen, and it will be a suitable honor for Joe's memory.

We're now working out the details for our upcoming programs, and I'm sure that Bing and I will be in touch with many of you during the coming weeks.

I also hope to come to lunch at the No Name on May 1 and I look forward to seeing many of you there.

Sincerely,

A handwritten signature in black ink, reading "Charles Bahne". The signature is fluid and cursive, with a small flourish at the end.

P. S. — Please feel free to call me at home, 617-354-0539, if you'd like to chat.